

130 Water Street  
Boston  
Massachusetts 02109

DECLARATION  
AND POWER OF ATTORNEY  
Original Application

ATTORNEY'S DOCKET NO. (If Any)

40678

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed at 201 below) or an original, first and joint inventor (if plural names are listed at 201-203 below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

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which is described and claimed in:

the attached specification or  
 the specification in application Serial No. .... filed .....  
And was amended on .....  
..... applicable

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS PRIOR TO THE FILING DATE OF THIS APPLICATION			
COUNTRY	APPLICATION	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES NO
			YES NO
ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO THE FILING DATE OF THIS APPLICATION			

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (Patented, pending, abandoned)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) with full powers of association, substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Sewall P. Bronstein (Reg. No. 16919) David G. Conlin (Reg. No. 27026) Ernest V. Linek (Reg. No. 29822)  
Donald Brown (Reg. No. 20845) George W. Neuner (Reg. No. 26964) Linda M. Buckley (Reg. No. 31003)  
Robert L. Goldberg (Reg. No. 22456) Robert M. Asher (Reg. No. 30445) Ronald I. Eisenstein (Reg. No. 30628)  
Robert F. O'Connell (Reg. No. 19817) Gregory D. Williams (Reg. No. 30901) Peter F. Corless (Reg. 33860)

SEND CORRESPONDENCE TO:	DIRECT TELEPHONE CALLS TO: (name and telephone number)
Robert L. Goldberg, Esq. Dike, Bronstein, Roberts & Cushman 130 Water Street Boston, Massachusetts 02109	Robert L. Goldberg, Esq. XHXXXXXX (617) 244-4990

201	FULL NAME OF INVENTOR	LAST NAME Thackeray	FIRST NAME James	MIDDLE NAME W.
	RESIDENCE & CITIZENSHIP	CITY Braintree	STATE OR FOREIGN COUNTRY Massachusetts	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	45 Ash Street	CITY Braintree	STATE OR COUNTRY Massachusetts
202	FULL NAME OF INVENTOR	LAST NAME Orsula	FIRST NAME George	MIDDLE NAME W.
	RESIDENCE & CITIZENSHIP	CITY Avon	STATE OR FOREIGN COUNTRY Massachusetts	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	680 West Main Street	CITY Avon	STATE OR COUNTRY Massachusetts
203	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
DATE 12/11/91	DATE 12/11/91	DATE



40,00-581-D

**PATENT** Docket No. 40678

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Patent****Application**

Patent No. \_\_\_\_\_

Serial No. 07 / 792,482

Issue Date: \_\_\_\_\_

Filing Date: November 15, 1991

Also see attached list of patents and/or applications  
covered by assignment

**Box Assignment****Commissioner of Patents and Trademarks**

Washington, D.C. 20231

**NOTE:** "All assignments should be mailed to BOX ASSIGNMENTS unless they are filed concurrently with a new application." Notice of May 4, 1990 (1114 O.G. 77-78)

**ASSIGNMENT (DOCUMENT) COVER LETTER**

**NOTE:** "Each assignment should be accompanied by a separate cover letter. More than one application, patent, or registration can be identified in an assignment." Notice of May 4, 1990 (1114 O.G. 77-78).

REF 5951 FRAME 944

**CERTIFICATION OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

(check and complete appropriate item below):

37 CFR 1.8(a)

with sufficient postage  
as first class mail

or

37 CFR 1.10

as "Express Mail Post Office  
to Addressee" Mailing Label  
No. \_\_\_\_\_

Deanna M. Leverone  
(Type or print name of person mailing paper)

Date 12/20/91

Deanna M. Leverone  
(Signature of person mailing paper)

(Assignment Cover Letter [16-11]—page 1 of 4)

**IDENTIFICATION OF APPLICATION(S) AND/OR  
PATENT(S) COVERED BY ASSIGNMENT**

1. The accompanying assignment covers the patent or application identified above.

(Complete applicable item below)

- No other patents or applications are covered by the assignment
- Other patents and/or applications are covered by the assignment as shown on the attached  
**LIST OF PATENTS AND/OR APPLICATIONS  
COVERED BY ASSIGNMENT**

**NAME(S) OF PARTY(IES) MAKING TRANSFER**

2.

Name 1: James W. Thackeray

Name 2: George W. Orsula

Name 3:

**IDENTITY OF PARTY(IES) TO WHOM TRANSFER IS MADE**

3. Transfer is being made to:

Name: Shipley Company Inc.

Address: 2300 Washington Street  
Newton, MA 02162

**INTENTION OF DOCUMENT**

**NOTE:** The assignment cover letter should include a "brief description of what the document intends to accomplish (such as an assignment, a security agreement, or a license). Notice of May 4, 1990 (1114 O.G. 77-78).

4. The accompanying document is an:

- Assignment
- Security Agreement
- License
- Other

**FEE DUE**

**NOTE:** (37 CFR 1.21(h) - "For recording each assignment, agreement or other paper relating to the property in a patent or application per property —\$8.00

Total fee due \$ 40.00

(Assignment Cover Letter [16-11]—page 2 of 4)

REF ID: A5951 FRAME 45

**FEE PAYMENT**

6. Charge Account \_\_\_\_\_  
the sum of \$ \_\_\_\_\_

A duplicate of this Assignment Cover Letter is enclosed.

Enclosed is a check for \$ 40.00

Please charge Account 04-1105 for any deficiency in the assignment fee submitted herewith or credit this account for any overpayment.

**ADDRESS TO WHICH DOCUMENT SHOULD BE RETURNED AFTER RECORDAL BY PTO**

7. Please return the recorded document to:

Name: Robert L. Goldberg  
Address: 130 Water Street  
Boston, MA 02109

Reg. No. 22456

  
**SIGNATURE OF ATTORNEY**

Robert L. Goldberg

Type or print name of attorney

130 Water Street

P.O. Address

Boston, MA 02109

Plus LIST OF PATENTS AND/OR APPLICATIONS COVERED BY ASSIGNMENT

In re application of:

Serial No.: 07/ 792,482

Group No. Not Yet Assigned

Filed: 11/15/91

Examiner: Not Yet Assigned

For: ANTIHALATION COMPOSITIONS

Patent:

Issued:

\_\_\_\_\_

In re application of:

Serial No.: 0 /

Group No.

Filed:

Examiner:

For:

Patent:

Issued:

\_\_\_\_\_

In re application of:

Serial No.: 0 /

Group No.

Filed:

Examiner:

REF ID: A65951 FORM 16-11

For:

Patent:

**Issued:**

In re application of:

Serial No.: 0 /

**Group No.**

Filed:

**Examiner:**

For:

Patent:

Issued:

In re application :

Serial No.: 0 /

**Group No.**

Filed:

**Examiner:**

For:

Patent:

Issued:

*(use additional pages as required)*

**Additional page**

REEL 5951 FRAME 947

(Assignment Cover Letter [16-11]—page 4 of 4)

A S S I G N M E N T

We, James W. Thackeray of Braintree, Massachusetts,  
 and George W. Orsula of Avon, Massachusetts,  
 for good and valuable consideration from Shipley Company Inc.,  
 a Massachusetts corporation, having its principal place  
 of business in Newton, Massachusetts, hereinafter called  
 the Assignee, receipt of which is hereby acknowledged, do hereby  
 sell, assign and transfer unto the Assignee, its successors and  
 assigns, the entire right, title and interest in, to and under an  
 application for Letters Patent of the United States signed by us on  
 the dates indicated below for Improvements in  
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and the inventions and any of them therein set forth and described,  
 and any and all Letters Patent of the United States and of countries  
 foreign thereto which may be granted thereon or therefor;

And for the above consideration we agree promptly upon request of  
 the Assignee, its successors or assigns, to execute and deliver  
 without further compensation any power of attorney, assignment,  
 application, whether original, divisional, continuation or reissue,  
 or other papers which may be necessary or desirable fully to secure  
 to the Assignee, its successors and assigns, the inventions and any  
 of them described in said application and all patent rights therein,  
 in the United States and in any country foreign thereto.

IN WITNESS WHEREOF, I, James W. Thackeray, hereunto set  
 my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
 and I, George W. Orsula, hereunto set my hand and seal this  
 day of \_\_\_\_\_, 19\_\_\_\_.

James W. Thackeray  
George W. Orsula

RECORDED  
 PATENT AND TRADEMARK  
 OFFICE

James W. Thackeray  
 George W. Orsula

Commonwealth  
 of Massachusetts :  
 ss.  
 County of Middlesex :

Before me this 11<sup>th</sup> day of December, 1991, personally  
 appeared James W. Thackeray, who is to me personally known,  
 and acknowledged the foregoing instrument of assignment to be his  
 free act and deed.

Anne L. Scammon  
 Notary Public

Commonwealth  
 of Massachusetts :  
 ss.  
 County of Middlesex :

Before me this 11<sup>th</sup> day of December, 1991, personally  
 appeared George W. Orsula, who is to me personally known,  
 and acknowledged the foregoing instrument of assignment to be his  
 free act and deed.

Anne L. Scammon  
 Notary Public